

RULE 8

PROBATION AND DISCIPLINARY PROBATION

8.01 PROBATIONARY PERIODS AND DISCIPLINARY PROBATION PERIOD :

(a) It is the purpose of the probationary period to test the capability and willingness to perform of the newly-hired, transferred, or promoted employee and to provide a set period of time in which to train probationer in the skills and knowledge necessary to perform his assigned duties.

(b) It is the purpose of the disciplinary probation period to accompany certain disciplinary actions taken by the Department in order to retrain and/or monitor the actions of an employee.

(c) There will be no probationary period following:

1. Reduction in rank or return to former assignment following the unsuccessful completion of a probationary period without disciplinary actions.

2. Rehiring of employees laid off due to shortage of positions, if the employee had successfully completed probation prior to his being demoted due to a shortage of positions.

8.02 LENGTH OF PROBATIONARY PERIOD :

(a) A probationary period shall be not less than sixty (60) days or more than one hundred eighty (180) days. Newly-hired employees will serve a probationary period of one hundred eighty (180) days.

(b) A probationer that is reassigned in his duties by the Sheriff or supervisory personnel shall not have the probationary period interrupted.

8.03 EVALUATION OF PROBATIONARY PERIOD :

The probationer shall be evaluated at least twice during the probationary period by his immediate supervisor. One evaluation must be at the midpoint of the probationary period and a second evaluation must be not less than ten (10) days prior to the end of the probationary period.

8.04 FAILURE TO COMPLETE PROBATION :

(a) Original Probation and Promotional Probation :

The Sheriff, upon showing of just cause, has the authority and the responsibility to return the probationer to his previous rank or to terminate employment if on original probation. Just cause shall be deemed sufficient on the documented showing of failure to meet the standards of performance set by the Department, or documented showing of a lack of willingness to perform required duties, or a lack of dependability, or a combination of all.

8.04 **FAILURE TO COMPLETE PROBATION** : (continued)

(b) Disciplinary Probation :

The Sheriff, upon showing of just cause, has the authority and the responsibility of terminating the employment or extending the probationary period not to exceed an additional one hundred eighty (180) days of the employee who fails to meet the standards required to continue employment in the Sheriff's Department.

(c) Interbureau Transfer Probation :

Any employee transferred from one Bureau of the Sheriff's Department to another is automatically placed on probation to determine his suitability for the position to which he is transferred.

The Sheriff has the authority and responsibility upon the request of the Bureau Commander to return any employee who fails to complete probation after transfer to the employee's original position or to any position for which the employee has been shown to possess the required skills.

8.05 **NOTICE AND APPEAL OF FAILURE TO COMPLETE PROBATION** :

(a) The employee on probation who receives a notice of return, or if on original probation, a notice of termination, may appeal to the Sheriff within five (5) working days.

(b) The Sheriff shall have ten (10) working days to review the appeal.

(c) The decision of the Sheriff shall be final in cases of original and transfer probation. Appeals from decisions of the Sheriff relating to promotional and disciplinary probation will be in accordance with the provisions of Rule 12.